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OCT 28 2022

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF NORTH CAROLINA

----- DIVISION

Laurie Astern)

-----)

-----)

(Enter above the full name
of the Plaintiff[s] in this
action).

Case No.

5:22-CV-434-BO

(To be assigned
by the Clerk of
District Court)

vs.

① Merrick Garland, Atty. General

Department of Justice)

② Collette S. Peters)

Director, Federal Bureau of Prisons

(Enter above the full name of
ALL Defendant[s] in this action.
Fed.R.Civ.P.10(a) requires that
the caption of the complaint
include the names of **all** the
parties. Merely listing one
party and "et al." is insufficient.
Please attach additional sheets if
necessary).

COMPLAINT

1. Plaintiff resides at -----

P.O. Box 80071

Raleigh, NC 27623

2. Defendant(s) name(s): -----

① Merrick Garland, Atty General, Department of Justice

② Collette S. Peters, Director, Federal Bureau of Prisons

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Right to File Civil Action Attached

Location of principal office(s) of the named defendant(s):

- ① DOJ: 960 PENNSYLVANIA AVENUE, NW, WASHINGTON DC, 20530
② Federal Bureau of Prisons: 320 1st Street, NW, Washington DC 20534

Nature of defendant(s) business: ① US DOJ ② Prison's

Approximate number of individuals employed by defendant:

500+

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on this court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 20003-5(g).

4. The acts complained of in this suit concern:

- (A) _____ Failure to employ me.
(B) ☒ Termination of my employment.
(C) _____ Failure to promote me.
(D) ☒ Other acts as specified below:

① Discrimination (Race, Religion, Age), Retaliation (Race, Religion, Age, Protected Activity) ② Agency Failed to Follow established Menate Policies & Procedures (multiple violations, including threat assessment protocol) ③ Hostile work environment ④ Dissemination of PHI ⑤ Adverse Actions, ⑥ there is more

5. Plaintiff is:

(A) _____ presently employed by the defendant.

(B) ☒ _____ not presently employed by the defendant.

The dates of employment were 12/10/2017 → 8/6/2018

Employment was terminated because:

(1) ☒ _____ plaintiff was discharged.

(2) _____ plaintiff was laid off.

(3) _____ plaintiff left job voluntarily.

6. Defendant(s) conduct is discriminatory with respect to the following:

(A) ☒ _____ my race.

(B) ☒ _____ my religion.

(C) _____ my sex.

(D) _____ my national origin.

(E) ☒ _____ other as specified below:

AGE, PROTECTED ACTIVITY, RETALIATION

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are):

① TERRY KILLPATRICK (M) Health Service Administrator
② MS. RICHARD (BF) Medical Records Technician ③ SARAH
BEYER, MD (W F) Supervising MD, ④ DR. CRAFT (W M) Secondary
Supervising MD, (there were other co-workers who
were pulled into this by Terry Killpatrick - additionally
documented intent / reprisal / warrants and threats? MS. MOORE
DO NOT KNOW NAMES

INTERNAL
AFFAIRS

8. The alleged discrimination occurred on or about 4/25/2018

9. The nature of my complaint, i.e., the manner in which the individuals(s) named above discriminated against me in terms of the conditions of my employment is as follows:

APRIL 25th 12 NOON RECEIVED FULLY-SUCCESSFUL EVALUATION FOR
JOB PERFORMANCE, APRIL 25th 1PM REPORTED CO-WORKERS
WHO HELD ME AGAINST MY WILL, WITHIN 24 HOURS RETALIATION
COMMENCED, BEGINNING WITH MR KILPATRICK & MS ROLKINO, THE
CO-WORKER THAT HELD ME AGAINST MY WILL, CO-WORKERS WERE ASKED
TO MONITOR MY ACTIONS & REPORT TO SUPERVISOR, SUPERVISOR FAILED TO
FOLLOW MULTIPLE POLICIES & PROCEDURES REGARDING THAT ASSESSMENT,
RECEIVED OVER 100 EMAILS REGARDING JOB PERFORMANCE FOLLOWING
REPORTING OF CO-WORKER, I WAS EXCLUDED FROM MEETINGS, & THEY
VIOLATED KEPA BY RELAYING MY MEDICAL INFORMATION TO OTHERS
VIA EMAIL, ASKED EMPLOYEES TO PLEASE ADMINISTRATIVE PAY FOR
SNOW DAYS & SENT ME LETTER TO PAY IT BACK OR BE TURNED
INTO COLLECTIONS, MANY OTHER ADDITIONAL ACTS COMMITTED
VIOLATED DOJ & BOP POLICIES AND PROCEDURES

10. The alleged illegal activity took place at: _____

BUREAU OF PRISONS, BUTNER NC

11. I filed charges with the Equal Employment Opportunity

Commission regarding defendant(s) alleged discriminatory conduct

I WAS UNABLE TO FILE OR SPEAK TO ANYONE UNTIL 5/21/2018
on or about _____. I have attached a copy of
THIS POSITION WAS VACANT @ TIME OF INCIDENT & NOT FILLED UNTIL
the Notice of Right to Sue letter issued by the Equal Employment END OF MAY 2018

Opportunity Commission. This letter was received by me on _____

9/14/2022

12. I seek the following relief:

- (A) ☒ recovery of back pay;
- (B) ☐ reinstatement to my former job;
- (C) ☒ trial by jury on all issues so triable;

and any other relief as may be appropriate, including
injunctive orders, damages, costs and attorney's fees.

10/24/2022
Date

Faune Astern
Signature of Plaintiff

PO Box 80071
Raleigh, NC 27623
561-929-2436
Address and Phone Number of Plaintiff

2. The appellate decision will have a substantial impact on the policies, practices, or operations of the agency.

Requests for reconsideration must be filed with EEOC's Office of Federal Operations (OFO) **within thirty (30) calendar days** of receipt of this decision. If the party requesting reconsideration elects to file a statement or brief in support of the request, **that statement or brief must be filed together with the request for reconsideration**. A party shall have **twenty (20) calendar days** from receipt of another party's request for reconsideration within which to submit a brief or statement in opposition. See 29 C.F.R. § 1614.405; Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), at Chap. 9 § VII.B (Aug. 5, 2015).

Complainant should submit his or her request for reconsideration, and any statement or brief in support of his or her request, via the EEOC Public Portal, which can be found at <https://publicportal.eeoc.gov/Portal/Login.aspx>

Alternatively, Complainant can submit his or her request and arguments to the Director, Office of Federal Operations, Equal Employment Opportunity Commission, via regular mail addressed to P.O. Box 77960, Washington, DC 20013, or by certified mail addressed to 131 M Street, NE, Washington, DC 20507. In the absence of a legible postmark, a complainant's request to reconsider shall be deemed timely filed if OFO receives it by mail within five days of the expiration of the applicable filing period. See 29 C.F.R. § 1614.604.

An agency's request for reconsideration must be submitted in digital format via the EEOC's Federal Sector EEO Portal (FedSEP). See 29 C.F.R. § 1614.403(g). Either party's request and/or statement or brief in opposition must also include proof of service on the other party, unless Complainant files his or her request via the EEOC Public Portal, in which case no proof of service is required.

Failure to file within the 30-day time period will result in dismissal of the party's request for reconsideration as untimely, unless extenuating circumstances prevented the timely filing of the request. **Any supporting documentation must be submitted together with the request for reconsideration.** The Commission will consider requests for reconsideration filed after the deadline only in very limited circumstances. See 29 C.F.R. § 1614.604(c).


COMPLAINANT'S RIGHT TO FILE A CIVIL ACTION (S0610)

You have the right to file a civil action in an appropriate United States District Court **within ninety (90) calendar days** from the date that you receive this decision. If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by his or her full name and official title. Failure to do so may result in the dismissal of your case in court. "Agency" or "department" means the national organization, and not the local office, facility or department in which you work. If you file a request to reconsider and also file a civil action, **filing a civil action will terminate the administrative processing of your complaint.**

RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs. Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. **You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission.** The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Complainant's Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:



Carlton M. Hadden, Director
Office of Federal Operations

September 14, 2022

Date